

PB-08-09T

Starlite Restaurant & Pizzeria, Inc.

**993 Pleasant Valley Way, West Orange, New Jersey 07052
Block No. 172.02, Lot No. 6, Zone B-2**

**RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF WEST ORANGE
TECHNICAL REVIEW COMMITTEE
GRANTING TECHNICAL SITE PLAN APPROVAL
WITHOUT VARIANCES TO CONTINUE TO OPERATE
A RESTAURANT AND PIZZERIA**

WHEREAS, the Technical Review Committee of the Planning Board of the Township of West Orange, at a meeting held on April 22, 2008, considered the application for Amended Technical Site Plan Approval, without variances, to operate a restaurant and pizzeria on property located at 993 Pleasant Valley Way, identified as Block 172.02, Lot 6, in Zone B-2, which was submitted by Starlite Restaurant & Pizzeria, Inc. (the "Applicant"); and

WHEREAS, the Planning Board (Technical Review Committee) considered the presentation of the Applicant through its Attorney, Robert C. Williams, Esq. and Applicant's principal, Patricia Spango; and

WHEREAS, a complete Application has been filed, all fees required by ordinance have been paid and it otherwise appears that the jurisdiction and powers of the Technical Review Committee of the Planning Board have been properly invoked and exercised; and the Technical Review Committee of the Planning Board having voted unanimously to recommend approval of this application on April 22, 2008; and

WHEREAS, the Applicant requested Amended Technical Site Plan Approval, without variances, to operate a restaurant and pizzeria;

NOW, THEREFORE, the Planning Board (Technical Review Committee) of the Township of West Orange does hereby make the following findings of fact and conclusions of law with respect to this Application:

1. This is an Application for Amended Technical Site Plan Approval, without variances, to operate a restaurant and pizzeria.

2. The Planning Board (Technical Review Committee) has recommended and the Applicant has agreed to the following additional conditions of approval for Amended Technical Site Plan Review:

A. The 7 decorative lights shown on the Plan provided in the prior approval dated September 9, 2003 and modified through October 1, 2003 as prepared by Anthony J. Church, A.I.A., which are located on the upper level of the façade above the sconces are hereby deleted.

B. The Applicant's addition of 2 decorative lighting poles at the front of the property on Pleasant Valley Way is approved as built.

C. The center window as shown on modified plan prepared by Anthony J. Church, A.I.A., on February 20, 2008 is approved as built.

D. The prior Resolution, PB-03-19T, which approved the original Technical Site Plan Review Application, more particularly conditions 4 and 5 are modified as follows:

1) Conditions 4 and 5 of the prior Resolution are hereby continued until such time as:

i. The State of New Jersey or County of Essex provides sidewalks on Northfield Avenue or Pleasant Valley Way, immediately adjacent to the subject property; or

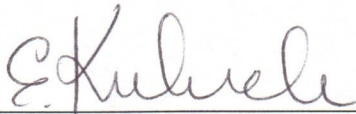
ii. Until such time as the contiguous property owner to the North of the subject property constructs sidewalks; or

iii. Until 5 years from the date of this Resolution.

2) The Applicant reserves the right to submit to the Board for reconsideration of the requirement to install sidewalks at the end of the 5 year period in the event they have not been constructed pursuant to Paragraph A.

NOW, THEREFORE BE IT RESOLVED that this Application for Technical Site Plan Approval without variances to operate a restaurant and pizzeria is approved subject to the additional conditions set forth in this Resolution.

The foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of West Orange.



ELIZABETH KULINICH, Board Secretary
Planning Board of the Township of West Orange

Dated: 5/7/08